



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,169	02/26/2004	Andreas Hayden	080437.53242US	3465
23911	7590	12/01/2005	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			TO, TUAN C	
		ART UNIT	PAPER NUMBER	
		3663		

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/786,169	HAYDEN, ANDREAS
	Examiner	Art Unit
	Tuan C. To	3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 06 September 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 8-25 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 8-25 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 06 September 2005 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 8-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Brunts et al. (US 5887269A).

With respect to claim 8, Brunts et al. disclose a navigation system and a process of storing and updating the data that is stored in a non-volatile memory card such as PCMCIA memory card (Brunts et al., column 7, lines 35-49) that is used with the memory card interface (36) for reading the data stored in the memory. The data stored in the memory card is encrypted and contains a user data identification code such as a sequence of identification numbers, alphanumeric or symbolic characters or combination. As set forth in column 7, lines 20-24, the memory card is coupled with a control unit that has a compatible program compatible with the memory card, which is the claimed data carrier of the present invention.

It is important to note that the microprocessor (92) stands for the claimed programmed micro-processor which is used to execute the program instructions stored on the memory including the data carrier as claimed (see column 10, lines 25-52).

With regard to claim 9, the data stored on the mentioned herein memory card have been encrypted (Brunts et al., column 7, lines 55-57).

With regard to claim 10, as illustrated in column 10, lines 53-67; and column 11, lines 1-10, the act of storing or updating data is performed by the navigation board (68) which contains control microprocessor (92) (Brunts et al, figure 4). The decryption algorithm stored within the ROM (100) can decrypt the encrypted data. It is important to recognize that the processor checks for the integrity of the control unit data readout from the memory card. After decrypting, the data can be read and processed by the navigation system. Therefore, the data is updated when the decrypting is correct.

With regard to claim 11, Brunts et al. teach that the memory card interface (36) read the data from the memory card when the data information access is authorized (Brunts et al., column 7, lines 50-52). Thus, the data that is stored in the memory card is validity (or authenticity) to access.

With regard to claim 12, Brunts et al. disclose the limitations "storing and/or updating of the control unit data is carried out only after a corresponding release by an authorization system, the authorization system preferably being under control of a vehicle manufacturer of the corresponding vehicle" (See column 3, lines 45-67).

With regard to claim 13, the data stored in the memory card (data carrier) is encrypted and they contain a sequence of identification number that is matched with the navigation identification code of the vehicle (Brunts et al. column 7, lines 50-65).

With respect to claim 14, Brunts et al. disclose a navigation system/method for storing and updating the data that is stored in a non-volatile memory card such as PCMCIA memory card (Brunts et al., column 7, lines 35-49) that is used with the memory card interface (36) for reading the data stored in the memory. The data stored in the memory card is encrypted and contains a user data identification code such as a sequence of identification numbers, alphanumeric or symbolic characters or combination. As set forth in column 7, lines 20-24, the memory card is coupled with a control unit that has a compatible program compatible with the memory card as discussed above.

With regard to claim 15, the navigation board (68) as represented herein contains its own microprocessor (92), and that said microprocessor (92) has built-in RAM, EEPROM (98), ROM (100), a serial input/output (102), and input/output (104), and that EEPROM, ROM contain programmable instruction for implementing the navigation process as discussed above.

With respect to claim 16, Brunts et al. disclose a navigation system/method for storing and updating the data that is stored in a non-volatile memory card such as PCMCIA memory card (Brunts et al., column 7, lines 35-49) that is used with the memory card interface (36) for reading the data stored in the memory. The data stored in the memory card is encrypted and contains a user data identification code such as a

sequence of identification numbers, alphanumeric or symbolic characters or combination. As set forth in column 7, lines 20-24, the memory card is coupled with a control unit that has a compatible program compatible with the memory card as discussed above.

With regard to claim 17, Brunts et al. disclose that on board system comprises a navigation system.

With regard to claim 18, Brunts et al. disclose that the memory card (Brunts et al, figure 3, 36; figure 8, 120) comprises flash memory (Brunts et al, column 12, lines 55-57).

With regard to claim 19, as explained in Brunts et al, the memory card is the claimed data carrier, which contains a plurality of data including navigation data which can be applicable to a plurality of vehicles, and that the navigation system disclosed in Brunts et al. comprises a processor is provided for controlling the reading data from the memory card. It should be noted the data has been read by the data reader, which is the memory card interface (36).

With regard to claim 20, the memory card also stores the identification code which coincides with the identification code for the vehicle reading device, which reads on the limitation "characterizing information is stored in a memory maintained by a manufacturer of the vehicle. The identification code is considered as the characterized information maintained by the vehicle manufacturer.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker (US 6157725A) and in view of Brunts et al. (US 5887269A).

Becker discloses a system for storing and updating control unit data in a memory associate with a control unit that is coupled into a network of control units in a vehicle, comprising: a control unit (2) and another control units, for instant, the control unit of the navigation system (11) and the computer unit (10) form a network of control units in a vehicle (Becker, column 8, lines 20-38). The control unit (2) is connected to the other control units via a system bus (8) represented as high speed data link.

Brunts et al. has been discussed herein above a navigation system for storing and updating the data that is stored in a non-volatile memory card such as PCMCIA memory card (Brunts et al., column 7, lines 35-49) that is used with the memory card interface (36) for reading the data stored in the memory. The data stored in the memory card is encrypted and contains a user data identification code such as a sequence of

identification numbers, alphanumeric or symbolic characters or combination. As set forth in column 7, lines 20-24, the memory card is coupled with a control unit that has a compatible program compatible with the memory card, which is the claimed data carrier of the present invention. The microprocessor (92) shown in figure 4 stands for the claimed programmed micro-processor, which is used to execute the program instructions that have been stored on a memory medium, including the data carrier as claimed (see column 10, lines 25-52).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Becker to include the teachings as taught by Brunts et al. in order to gain advantage therefore (i.e., a user is capable of operating variety of components on-board of a motor vehicle via a user input interface).

Response to Arguments

5. Applicant's arguments filed 09/06/2005 have been fully considered but they are not persuasive. The applicant argues that Brunts et al. fail to teach or suggest a system in which the storing or updating process is carried out under the control of a program-controlled microprocessor. It should be noted that the navigation system disclosed in Brunts et al. read on at least the limitations recited in claim 8, including the programmed micro-processor 92) (Brunts et al., figure 4) for executes the program instructions stored on a memory medium (98, 100). While associating with either the volatile memory or non-volatile memory the navigation system of Brunts et al. therefore stores and updates control unit data, and that the process of storing or updating is carried under the control of the programmed controlled microprocessor (92). In figure 4, the microprocessor (92)

is configured to read data from the memory card interface (36). There is a system bus that connects the processor (92) with the memory medium, card interface (36).

The applicant argues that Brunts et al. referece does not appear to provide for internal communication of selected data within the vehicle via a high speed data bus. The examiner has found the bus as disclosed in the Brunts et al. system is a internal bus that connects all the internal components to the CPU and main memory of the navigation system. The navigation system as represented in figure 2 of Brunts et al. is integrated into an audio entertainment system. Therefore, the internal bus as set forth above is considered to be a high-speed data bus for fast transferring the data such as video data.

For the reason discussed above, the application is set in a final-rejection

Conclusions

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tc

November 25, 2005



JACK KEITH
SUPERVISORY PATENT EXAMINER